

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Anthony Jarvis
Jacqueline Jarvis**
Debtor(s)

Bankruptcy Case No.: 18-20508-JAD
Issued Per Apr. 30, 2018 Proceeding
Chapter: 13
Docket No.: 38 - 26
Concil. Conf.: August 23, 2018 at 01:30 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated March 27, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Aug. 23, 2018 at 01:30 PM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: The secured claims of Ally Financial at Claim No. 2, PNC Bank, N.A. at Claim No. 5 and JPMorgan Chase Bank at Claim No. 12 shall govern as to claim amount, to be paid at the modified plan terms.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: May 8, 2018

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Anthony Jarvis
 Jacqueline Jarvis
 Debtors

Case No. 18-20508-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: jhel
 Form ID: 149

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 Total Noticed: 37

Date Rcvd: May 08, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 10, 2018.

db/jdb
 cr +Anthony Jarvis, Jacqueline Jarvis, 741 Ohio Avenue, Midland, PA 15059-1415
 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
 Pittsburgh, PA 15233-1828
 14773243 ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
 (address filed with court: Capital One, 15000 Capital One Dr, Richmond, VA 23238)
 14773244 +Chase Auto, Po Box 901003, Ft Worth, TX 76101-2003
 14773245 +Comenitybank/victoria, Po Box 182789, Columbus, OH 43218-2789
 14773247 +Dsnb Macys, Po Box 8218, Mason, OH 45040-8218
 14773249 +Fed Loan Serv, Po Box 60610, Harrisburg, PA 17106-0610
 14773250 +First Premier Bank, 601 S Minnesota Ave, Sioux Falls, SD 57104-4868
 14799075 +Heritage Valley Medical Center, 1000 Dutch Ridge Road, Beaver, PA 15009-9727
 14799076 +Med Express, PO Box 7964, Belfast, ME 04915-7900
 14799077 +Med Express Billing, PO Box 719, Dellslow, WV 26531-0719
 14799078 ++NATIONWIDE INSURANCE, SERVICE OF PROCESS TEAM, THREE NATIONWIDE PLAZA, MAIL CODE 3-11-310,
 COLUMBUS OH 43215-2410
 (address filed with court: Nationwide Insurance, 1 Nationwide Plaza, Columbus, OH 43215)
 14799625 +PNC Bank, N.A., PO Box 94982, Cleveland, OH 44101-4982
 14791335 +PNC Bank, N.A., Attn: Bankruptcy, 3232 Newmark Drive, Miamisburg, OH 45342-5421
 14799080 +People Gas Bankruptcy Department, 375 North Shore Drive, Ste. 600, Attn: Dawn Lindner,
 Pittsburgh, PA 15212-5866
 14795758 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 North Lincoln Avenue,
 Pittsburgh, PA 15233-1828
 14773251 +Pnc Bank, 2730 Liberty Ave, Pittsburgh, PA 15222-4747
 14773252 +Pnc Mortgage, Po Box 8703, Dayton, OH 45401-8703
 14814437 U.S. Department of Education, C/O FedLoan Servicing, P.O. Box 69184,
 Harrisburg PA 17106-9184
 14812268 UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14778115 E-mail/Text: ally@ebn.phinsolutions.com May 09 2018 01:56:33 Ally Financial,
 PO Box 130424, Roseville, MN 55113-0004
 14773242 +E-mail/Text: ally@ebn.phinsolutions.com May 09 2018 01:56:33 Ally Financial,
 200 Renaissance Ctr, Detroit, MI 48243-1300
 14773246 +E-mail/Text: bankruptcy_notifications@ccsusa.com May 09 2018 01:57:39
 Credit Control Service, 725 Canton St, Norwood, MA 02062-2679
 14816806 +E-mail/Text: kbarkley@bernsteinlaw.com May 09 2018 01:57:30 Duquesne Light Company,
 c/o Bernstein-Barkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 14773248 +E-mail/Text: bknotice@ercbpo.com May 09 2018 01:57:09 Enhanced Recovery Co L,
 Po Box 57547, Jacksonville, FL 32241-7547
 14809020 E-mail/Text: bk.notifications@jpmchase.com May 09 2018 01:56:43 JPMorgan Chase Bank, N.A.,
 National Bankruptcy Department, P.O. Box 29505 AZ1-1191, Phoenix, AZ 85038-9505
 14816955 E-mail/PDF: resurgentbknotifications@resurgent.com May 09 2018 01:54:04
 LVNV Funding, LLC its successors and assigns as, assignee of NCO Portfolio Management,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14815911 E-mail/PDF: resurgentbknotifications@resurgent.com May 09 2018 02:04:58
 LVNV Funding, LLC its successors and assigns as, assignee of North Star Capital,
 Acquisition LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14803883 +E-mail/Text: bankruptcydpt@mcmcg.com May 09 2018 01:57:00 Midland Funding LLC,
 PO Box 2011, Warren, MI 48090-2011
 14799079 E-mail/Text: RVSVCBICNOTICE1@state.pa.us May 09 2018 01:56:48 PA Department of Revenue,
 Bankruptcy Division, PO Box 280946, Harrisburg, PA 17128-0496
 14799083 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com May 09 2018 02:11:10 PRA Receivables,
 PO Box 12914, Norfolk, VA 23541-0914
 14774169 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com May 09 2018 01:53:22
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14776970 +E-mail/Text: RVSVCBICNOTICE1@state.pa.us May 09 2018 01:56:48
 Pennsylvania Department of Revenue, Bankruptcy Division PO BOX 280946,
 Harrisburg, PA 17128-0946
 14804802 +E-mail/Text: JCAP_BNC_Notices@jcap.com May 09 2018 01:57:14 Premier Bankcard, LLC,
 Jefferson Capital Systems LLC Assignee, Po Box 7999, Saint Cloud Mn 56302-7999
 14806711 E-mail/Text: bnc-quantum@quantum3group.com May 09 2018 01:56:44
 Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788
 14773253 +E-mail/PDF: gecsedirecoverycorp.com May 09 2018 01:53:20 Synch/amer Eagle, Po Box 965005,
 Orlando, FL 32896-5005
 14773254 +E-mail/Text: bankruptcydepartment@tsico.com May 09 2018 01:57:29 Transworld Sys Inc/51,
 500 Virginia Dr Ste 514, Ft Washington, PA 19034-2707

TOTAL: 17

District/off: 0315-2

User: jhel
Form ID: 149

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Total Noticed: 37

Date Rcvd: May 08, 2018

***** BYPASSED RECIPIENTS (continued) *****

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr JPMorgan Chase Bank, N.A.
cr PNC Mortgage, A Division of PNC Bank, National Ass
cr* +Duquesne Light Company, c/o Bernstein-Burkley, P.C.,
707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14799066* +Ally Financial, 200 Renaissance Ctr, Detroit, MI 48243-1300
14799067* +CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
(address filed with court: Capital One, 15000 Capital One Dr, Richmond, VA 23238)
14799068* +Chase Auto, Po Box 901003, Ft Worth, TX 76101-2003
14799069* +Comenitybank/victoria, Po Box 182789, Columbus, OH 43218-2789
14799070* +Credit Control Service, 725 Canton St, Norwood, MA 02062-2679
14799071* +Dsnb Macys, Po Box 8218, Mason, OH 45040-8218
14799072* +Enhanced Recovery Co L, Po Box 57547, Jacksonville, FL 32241-7547
14799073* +Fed Loan Serv, Po Box 60610, Harrisburg, PA 17106-0610
14799074* +First Premier Bank, 601 S Minnesota Ave, Sioux Falls, SD 57104-4868
14799081* +Pnc Bank, 2730 Liberty Ave, Pittsburgh, PA 15222-4747
14799082* +Pnc Mortgage, Po Box 8703, Dayton, OH 45401-8703
14799084* +Syncb/amer Eagle, Po Box 965005, Orlando, FL 32896-5005
14799085* +Transworld Sys Inc/51, 500 Virginia Dr Ste 514, Ft Washington, PA 19034-2707
TOTALS: 2, * 15, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 10, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 8, 2018 at the address(es) listed below:

Allison L. Carr on behalf of Creditor Duquesne Light Company acarr@bernsteinlaw.com,
acarr@ecf.courtdrive.com;cwirick@ecf.courtdrive.com
James Warmbrodt on behalf of Creditor PNC Mortgage, A Division of PNC Bank, National
Association bkgroup@kmlawgroup.com
Karina Velter on behalf of Creditor JPMorgan Chase Bank, N.A. amps@manleydeas.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Paul W. McElrath, Jr. on behalf of Joint Debtor Jacqueline Jarvis ecf@mcelrathlaw.com,
donotemail.ecfbackuponly@gmail.com
Paul W. McElrath, Jr. on behalf of Debtor Anthony Jarvis ecf@mcelrathlaw.com,
donotemail.ecfbackuponly@gmail.com
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com

TOTAL: 8